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3
4 UNITED STATES DISTRICT COURT

5 DISTRICT OF NEVADA

6 * * *

7 ANTHONY BUCCA, et al.,

8 Plaintiffs,

9 v.

10 ALLSTATE INDEMNITY INSURANCE,

11 Defendant.

Case No. 2:14-cv-01903-APG-PAL

ORDER

(Mot Cost Bond - Dkt. ##10, 11, 12)

12 Before the court is Defendant's Motion for Non-Resident Cost Bond to Plaintiff Anthony
13 Bucca (Dkt. ##10, 11), and Motion for Non-Resident Cost Bond to Plaintiff Lilian Bucca (Dkt.
14 #12). Docket #11 is a duplicate of Dkt #10. No response to the motions have been filed and the
15 time for filing a response has expired.

16 Defendant seeks an order requiring the Plaintiffs to post a non-resident cost bond
17 pursuant to NRS 18.301(1).

18 The Federal Rules of Civil Procedure do not contain a provision related to security of
19 costs. Nevertheless, this court has enforced the requirements of NRS 18.130. See *Hamar v.*
20 *Hyatt Corp.*, 98 F.R.D. 305-306 (D. Nev. 1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647
21 F.Supp 1148, 1149 (D. Nev. 1986). The statute requires a non-resident plaintiff to submit an
22 affidavit that it will pay any costs and charged that may be awarded up to \$500. In lieu of filing
23 the affidavit, the non-resident Plaintiff may post a \$500 bond with the Clerk of the Court.
24 Absent the showing of indigence, the requirements to provide a security in the amount of \$500
25 per defendant applies to each non-resident plaintiff. *Id.*, at 1148-49.

26 Defendant has filed and served a written demand for the security of costs.

27 Having reviewed and considered the matter, and for good cause shown,

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1 **IT IS ORDERED** that:

2 1. Defendant's Motions for Cost Bond (Dkt. #10, 12) are **GRANTED**. Plaintiff
3 Anthony Bucca, and Lilian Bucca, shall file an affidavit of surety or, alternatively,
4 post a security bond in compliance with NRS 18.130 in the amount of \$500 per
5 Plaintiff, no later than **February 9, 2015**.

6 2. Defendant's Motion for Cost Bond (Dkt. #11) is **stricken** as it is a duplicate of the
7 Motion for Cost Bond (Dkt. #10).

8 DATED this 12th day of January, 2015.

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11 PEGGY A. TEER
12 UNITED STATES MAGISTRATE JUDGE
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